

ENTERED

November 25, 2019

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff/Respondent,	§	
	§	CIVIL ACTION NO. H-19-4360
v.	§	CRIMINAL NUMBER H-18-176-01
	§	
BABAJIDE TOLULOPE BABATUNDE,	§	
	§	
Defendant/Movant.	§	

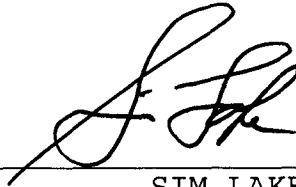
ORDER

Pending before the court are Babajide Tolulope Batatunde's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By a Person in Federal Custody (Docket Entry No. 73 in Crim. No. H-18-176) and the United States' Response to Babatunde's Motion Under 28 U.S.C. § 2255 (Docket Entry No. 80 in Crim. No. H-18-176). Because Batatunde has a direct appeal pending before the United States Court of Appeals for the Fifth Circuit, and because this case does not present any "extraordinary circumstances," the "orderly administration of criminal law precludes considering [Babatunde's] motion." Woollard v. United States, 416 F.2d 50, 51 (5th Cir. 1968).

Batatunde's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By a Person in Federal Custody (Docket

Entry No. 73 in Crim. No. H-18-176) is therefore **DISMISSED WITHOUT PREJUDICE**, and the corresponding civil action will also be dismissed without prejudice.

SIGNED at Houston, Texas, on this 25th day of November, 2019.

A handwritten signature in black ink, appearing to read 'S. Lake', is written over a horizontal line.

SIM LAKE
SENIOR UNITED STATES DISTRICT JUDGE